

HERMAN J. EHLE.

[To accompany Bill H. R. No. 653.]

APRIL 13, 1860.

Mr. FENTON, from the Committee on Invalid Pensions, made the following

## REPORT.

*The Committee on Invalid Pensions, to whom was referred the petition of Herman J. Ehle, report:*

That having examined the proofs in the case, it appears that the petitioner, now aged sixty-five years, served as first lieutenant in the company of riflemen commanded by Captain William Jenkins, in the 138th regiment, and 11th brigade of the militia of the State of New York, commanded by Lieutenant Colonel George H. Nellis, in the war with Great Britain in 1812. He was ordered into service of the United States and did join his company of riflemen on the 7th day of September, 1814, and marched with said company to Sackett's Harbor, and continued in actual service of the United States until the 29th of September, 1814; that while in camp, in the discharge of his duty, being exposed to the cold and wet, was, on or about the 20th of September, 1814, taken sick with dysentery and the piles so severely that his life was despaired of. That on or about the 29th of September, 1814, the surgeon of the regiment, Dr. Joshua Webster, ordered petitioner to be sent home, and he was accordingly discharged, sick and disabled, and sent home in a covered wagon. Petitioner was a well man previous to said sickness; that the said sickness was not the effect of any vicious conduct on his part, and arose solely from great exposure. Since that time his health has been constantly impaired, he is wholly incapable of performing manual labor, and is greatly afflicted with frequent attacks of the same disease. The petitioner has received a bounty land warrant from the department; that the reason he did not apply sooner was, that he did not know till recently of the act of Congress granting pensions to the militia, passed April 24, 1816. He petitions to receive the benefit of the act passed April 24, 1816, and to be placed on the pension rolls at the pay of a first lieutenant. His application to the Pension office for a pension was rejected on the ground "that the muster-roll of his company upon which his name is found furnishes no evidence of disability alleged to have been incurred whilst in the service."

These facts are substantiated by the petitioner's own affidavit, and the affidavit of George F. Dankle, a citizen of Montgomery county, New York, who testifies that he is sixty-six years old, and has known the petitioner for upwards of fifty years ; that he belonged to the same regiment, and did military duty with him since 1809, and is knowing to all the facts set forth above. Also, by the affidavit of Pythagoras Wetwere, aged sixty, of the village of Conajoharie, New York, who was a private in the same regiment, on the said march to Sackett's Harbor, and corroborates the said statement. The fact of present disability and the probability that it was incurred as alleged, is certified to by Joseph White, surgeon of the 1st regiment of rifles, New York, and Simon Snow, late surgeon of the 19th regiment, 6th brigade of cavalry, of New York. The respectability of the surgeons is certified to by David Spraker, of Canajoharie, and the certificate of the adjutant general of New York is attached, that each were surgeons, or had been, of the aforesaid regiments, New York militia.

Your committee concur in reporting the accompanying bill.